

REMARKS

Examiner Basichas has rejected the originally filed claims 1-9, 11 and 12 of the present application. For the reasons which follow, applicant respectfully traverses this rejection of the Examiner. The applicant does, however, wish to extend appreciation to Examiner Basichas for the quite detailed review of the claims of the present invention leading to the finding of patentable subject matter of the originally filed claims of the present application and an indication of the allowability of claim 10 if rewritten.

Claim 10 has been placed in independent form by incorporating claim 1 as filed. Although the limitations of the intervening claims are not included (but are included in claims 14-18), it is believed that claim 10 recites the subject matter which the Examiner recognized as patentable. Thus, it is respectfully submitted that claim 10 and the claims which depend therefrom are in condition for allowance for the same and similar reasons as recognized by Examiner Basichas. Favorable consideration is respectfully requested.

Kuriyama provides a light-emitting body to improve "the user's feeling of usability" and to stimulate "a customer's interest...by providing decoration rich in variety". It is respectfully submitted that Kuriyama does not provide an alarm as taught by the present invention. Such an alarm is useful to notify a user that the lighter cover has opened in the user's hand bag, pocket, or the like where a light such as Kuriyama would not be visible. Likewise, such an alarm would be useful for a blind user. However, in a spirit of conciliation to advance prosecution of the present application, claim 1 has been amended and claim 13 has been added further defining the present invention in a manner to distinguish over Kuriyama. Thus, it is respectfully submitted that claims 1 and 13 and the claims which depend therefrom are in condition for allowance. Favorable reconsideration is respectfully requested.

The Examiner has cited the United States patents listed in NOTICE OF REFERENCES CITED as A and B and indicated consideration of the United States patents and publications cited by applicant. By the lack of application of these references and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's cigarette lighter with alarm which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner and by the applicant, whether those references are taken singly or in any

Serial No. 10/814,565

combination, the Examiner is requested to allow claims 1-18, as amended, of the present application and to pass this application to issue.

Respectfully submitted,

Arlo H. T. Lin



Dated: December 6, 2005.

Alan D. Kamrath, Reg. No. 28,227
NIKOLAI & MERSEREAU, P.A.
Attorneys for Applicant
900 Second Avenue South
Suite 820 International Centre
Minneapolis, MN 55402
Tel: (612) 392-7306
Fax: (612) 349-6556